

## **GIS Registry Disclaimer**

This case was closed by the DNR prior to August 1, 2002, when DNR began adding approved cleanups with residual soil contamination into the GIS Registry. Certain documents that are currently required by ch. NR 726, Wis. Adm. Code may therefore not be included in this packet as they were unavailable at the time the original case was closed.

The information contained in this document was assembled by DNR from a previously closed case file, and added to the GIS Registry to provide the public with information on closed sites with residual soil and/or groundwater contamination remaining above applicable state standards.

# GIS REGISTRY

## Cover Sheet

July, 2008  
(RR 5367)

### Source Property Information

BRRTS #:

ACTIVITY NAME:

PROPERTY ADDRESS:

MUNICIPALITY:

PARCEL ID #:

CLOSURE DATE:

FID #:

DATCP #:

COMM #:

#### \*WTM COORDINATES:

X:  Y:

*\* Coordinates are in  
WTM83, NAD83 (1991)*

#### WTM COORDINATES REPRESENT:

- Approximate Center Of Contaminant Source  
 Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

### Contaminated Media:

Groundwater Contamination > ES (236)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties  
see "Impacted Off-Source Property")*

Soil Contamination > \*RCL or \*\*SSRCL (232)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties  
see "Impacted Off-Source Property")*

### Land Use Controls:

Soil: maintain industrial zoning (220)

*(note: soil contamination concentrations  
between residential and industrial levels)*

Structural Impediment (224)

Site Specific Condition (228)

Cover or Barrier (222)

*(note: maintenance plan for  
groundwater or direct contact)*

Vapor Mitigation (226)

Maintain Liability Exemption (230)

*(note: local government or economic  
development corporation)*

Monitoring wells properly abandoned? (234)

Yes  No  N/A

*\* Residual Contaminant Level*

*\*\*Site Specific Residual Contaminant Level*

This Adobe Fillable form is intended to provide a list of information that is required for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

**NOTICE: Completion of this form is mandatory** for applications for case closure pursuant to ch. 292, Wis. Stats. and ch. NR 726, Wis. Adm. Code, including cases closed under ch. NR 746 and ch. NR 726. The Department will not consider, or act upon your application, unless all applicable sections are completed on this form and the closure fee and any other applicable fees, required under ch. NR 749, Wis. Adm. Code, Table 1 are included. It is not the Department's intention to use any personally identifiable information from this form for any purpose other than reviewing closure requests and determining the need for additional response action. The Department may provide this information to requesters as required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

BRRTS #:  PARCEL ID #:

ACTIVITY NAME:  WTM COORDINATES: X:  Y:

**CLOSURE DOCUMENTS** (the Department adds these items to the final GIS packet for posting on the Registry)

- Closure Letter**
- Maintenance Plan** (if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)
- Conditional Closure Letter**
- Certificate of Completion (COC)** for VPLE sites

**SOURCE LEGAL DOCUMENTS**

- Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.  
*Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*
- Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).  
**Figure #:**                      **Title:**
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

**MAPS** (meeting the visual aid requirements of s. NR 716.15(2)(h))

- Maps must be no larger than 8.5 x 14 inches unless the map is submitted electronically.
- Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.  
*Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.*  
**Figure #: 1**                      **Title: Generalized Site Location**
  - Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.  
**Figure #: 2**                      **Title: Site Map and UST System Diagram**
  - Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.  
**Figure #: 4**                      **Title: Estimated Extent of Soil Contamination**

BRRTS #: 03-28-001816

ACTIVITY NAME: Koeppler Oil Co

**MAPS (continued)**

- Geologic Cross-Section Map:** A map showing the source location and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

**Figure #: 6 Title: Cross Section AA**

**Figure #: Title:**

- Groundwater Isoconcentration Map:** For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.

**Note:** This is intended to show the total area of contaminated groundwater.

**Figure #: Title:**

- Groundwater Flow Direction Map:** A map that represents groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

**Figure #: 4 Title: Estimated Groundwater Flow Direction**

**Figure #: Title:**

**TABLES (meeting the requirements of s. NR 716.15(2)(h)(3))**

Tables must be no larger than 8.5 x 14 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

- Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.  
**Note:** This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

**Table #: 2 Title: Laboratory Soil Analytical Results**

- Groundwater Analytical Table:** Table(s) that show the most recent analytical results and collection dates, for all monitoring wells and any potable wells for which samples have been collected.

**Table #: 1 Title: Groundwater Analytical Data**

- Water Level Elevations:** Table(s) that show the previous four (at minimum) water level elevation measurements/dates from all monitoring wells. If present, free product is to be noted on the table.

**Table #: 1 Title: Survey Data and Groundwater Table Elevation Measurements**

**IMPROPERLY ABANDONED MONITORING WELLS**

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.

**Note:** If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.

- Not Applicable**

- Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.

**Note:** If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.

**Figure #: Title:**

- Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

- Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

- Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 03-28-001816

ACTIVITY NAME: Koepler Oil Co

## NOTIFICATIONS

### Source Property

- Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.
- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying current source property owner.

### Off-Source Property

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

- Letter To "Off-Source" Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.

**Note:** Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

#### Number of "Off-Source" Letters:

- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying any off-source property owner.
- Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.  
**Note:** If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.

- Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

#### Number of "Governmental Unit/Right-Of-Way Owner" Letters:



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Ruthe E. Badger, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TDD 608-275-3231

November 4, 1999

Mr Allen Jolly  
N8328Americian Street  
Ixonía WI 53036

File Ref: 03-28-001816

Subject: Koeppler Oil Company, W1204 Marietta Avenue, Ixonía

Dear Mr. Jolly:

On June 17, 1999, the above named site was reviewed by the South Central Region Close Out Committee for a determination as to whether or not the case qualified for close out under ch. NR 726, Wisconsin Administrative Code. This committee agreed to close this site on the condition that a Groundwater Use Restriction and a Deed Affidavit for soil contamination be filed with the deed running with the property at the Jefferson County Register of Deeds Office.

On November 3, 1999, copies of the proof of filing of the Groundwater Use Restriction and Deed Notice with the Jefferson County Register of Deeds were received. This action satisfies this condition of site closure.

Also, on November 3, 1999, copies of the monitoring well abandonment forms were received. This action satisfies this condition of site closure.

Based on the correspondence and data provided, it appears that your site has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

The case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicate that contamination on or from the site poses a threat to public health, safety, welfare or the environment.

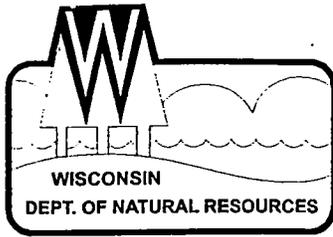
The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this correspondence, please contact me at the number shown below.

Sincerely,  
  
Wendell Wojner  
Hydrogeologist  
(608) 275-3297

cc: James Bannantine, Giles Environmental Associates, N8 W22350 Johnson Road,  
Waukesha, WI 53186

Quality Natural Resources Management  
Through Excellent Customer Service





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Ruthe E. Badger, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TDD 608-275-3231

June 17, 1999

File Ref: 03-28-001816

Mr Allan Jolly  
N8328 Amercian Street  
Ixonia WI 53036

Subject: Koepler Oil Company, W1204 Marietta Avenue, Ixonia

Dear Mr. Jolly:

On June 17, 1999, the above named site was reviewed by the South Central Region Close Out Committee for a determination as to whether or not the case qualified for close out under ch. NR-726, Wisconsin Administrative Code. This committee agreed to close this site on the condition that a Groundwater Use Restriction and a Deed Affidavit for soil contamination be filed with the deed running with the property at the Jefferson County Register of Deeds Office. The well restriction will state that groundwater contamination may remain at the site and that additional remedial action is not feasible at this time. The Deed Affidavit for soils will state that there may remain some contaminated soils at the site and that additional remedial action is not feasible at this time. A sample of the Groundwater Use Restriction has been attached.

In order for the Groundwater Use Restriction and the Deed Affidavit to be processed, you must submit a copy of the property deed to the Department. The information will be used to produce a document that will be sent back to you in draft form. If it meets with your approval, you should file it with the Jefferson County Register of Deeds and submit a copy with the proof of filing to the Department. When we have received confirmation of the action, another letter will be written to show the condition for site closure has been met.

Another condition for the site closure is that the groundwater monitoring wells need to be abandoned according to NR 141, Wis. Adm. Code. When the Well Abandonment Forms have been received from you, another letter will be written to show the change in site status from "open" to that of a site requiring "no further action".

The Groundwater Use Restriction is an option, which the Department can offer you in order to close this site. If you choose not to accept this option, you may perform additional investigation and cleanup of the remaining contamination. You should contact the Department of Commerce (608 266-4545) to determine eligibility of the additional work to qualify for reimbursement under the PECFA program.

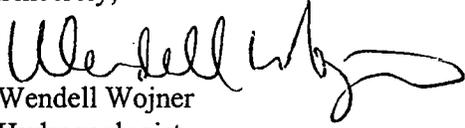
The case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicate that contamination on or from the site poses a threat to public health, safety, welfare or the environment.

*Quality Natural Resources Management  
Through Excellent Customer Service*



Please submit the official copy of the deed within 30 days so that the work can be processed effectively. The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this correspondence, please contact me at the number shown below.

Sincerely,

A handwritten signature in black ink, appearing to read "Wendell Wojner", with a stylized flourish at the end.

Wendell Wojner  
Hydrogeologist  
(608) 275-3297

cc: James Bannantine, Giles Environmental Associates, N8 W22350 Johnson Road,  
Waukesha, WI 53186

921681

VOL 684 PAGE 805

Curtis S. Counsell and Esther A. Counsell, his wife, quit-claims to Allen S. Jolly and Frances J. Jolly, husband and wife, as survivorship marital property,

STATE OF WISCONSIN Jefferson County Received for record this 1st day of October A. D. 19 86 at 8:55 o'clock A. M. Vol. 684 of Records, page 805 Mary H. Bader

the following described real estate in Jefferson County, State of Wisconsin:

RETURN TO Carol M. Lorenz 600 E. Main Street Watertown, WI 53094

The West 132 feet of the East 148.5 feet of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section Twenty-two (22), Township Eight (8) North, Range Sixteen (16) East lying Northerly of Marietta Avenue and Southerly of a parcel of land conveyed to the Town of Ixonia in Volume 393 of Records on Page 324, as Document Number 665511.

EXCEPTING THEREFROM land conveyed to Herman Strache and Minnie Strache, husband and wife, jointly and to the survivor from Leo C. Koeppler and Eliza Koeppler, his wife, by Warranty Deed dated August 16, 1946, and recorded on August 20, 1946, in Volume 240 of Deeds on Page 93.

FURTHER EXCEPTING THEREFROM lands conveyed to Ixonia Farm Products Corporation, a Wisconsin Corporation, from Robert Pritchard and Margaret E. Pritchard, as his wife and in her individual capacity by Warranty Deed dated August 1, 1946, and recorded on September 28, 1946, in Volume 241 of Deeds on Page 13 as Document Number 409452.

Said lands lying and being in the Town of Ixonia, County of Jefferson, and State of Wisconsin.

STATE OF WISCONSIN Jefferson County Register of Deeds This is a full true and correct copy of the document filed/recorded in my office.

EXEMPT NO. 3

Certified by Sherill Ungew 1999 This is not homestead property.

Dated this 29th day of September 19 86

Curtis S. Counsell (SEAL) Esther A. Counsell (SEAL)

AUTHENTICATION

Signature(s) of Curtis S. Counsell and Esther A. Counsell

authenticated this 29th day of September 19 86

CAROL M. LORENZ TITLE: MEMBER STATE BAR OF WISCONSIN

ACKNOWLEDGMENT

STATE OF WISCONSIN Personally came before me this 29th day of September 19 86 the above named

to me known to be the person who executed the foregoing instrument and acknowledge the same.

Carol M. Lorenz, Attorney at Law (Signature may be authenticated or acknowledged. Both are not necessary.)

Natasy Public My Commission is permanent (if not, state expiration date: 19 86)

\*Names of persons signing in any capacity should be typed or printed below their signatures

903604

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VOL 837-05

Charlotte Humphrey

quit-claims to Allen S. Jolly and Frances J. Jolly, his wife,

the following described real estate in Jefferson County, State of Wisconsin:

A part of the N.W. & S.W. 1/4 of Section 22\*8\*16, Town of Ixonia, Jefferson County, Wisconsin, described as follows: Commencing at the intersection of the South line of Jolly Court and the East line of CSM No. 2484, Vol. 9 P. 63; thence South along the East line of said CSM 151.75 feet to the Southeast corner of said CSM for a point of beginning; continuing thence South along a southerly extension of said East line to the Northerly line of Marietta Avenue; thence Easterly along said Northerly line to the East line of the N.W. & S.W. 1/4 of said Section 22; thence North along said East line of said 1/4 Section to a point opposite the point of beginning; thence West 16 1/2 feet to the point of beginning.

EXEMPT # 3

This is not (is/is not) homestead property.

Dated this 31<sup>st</sup> day of March, 1993

Signatures of Charlotte Humphrey and others with (SEAL) notations.

AUTHENTICATION: Signatures authenticated this 31<sup>st</sup> day of March, 1993 by Andrew R. Griggs, TITLE MEMBER STATE BAR OF WISCONSIN.

AGENCY Andrew R. Griggs

(Signatures may be authenticated or acknowledged Both are not necessary) This use of a notary is optional

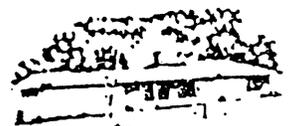
Furnished by JEFFERSON COUNTY ABSTRACT CO., INC. P.O. BOX 38, JEFFERSON, WI 53549 (414) 674-3434

STATE OF WISCONSIN Jefferson County Received for record this 20th day of April, A.D. 1993 at 1:10 P.M. and recorded Vol. 837 of Records, page 05. Deputy

RETURN TO Andrew R. Griggs 600 E. Main Street Watertown, WI 53094

STATE OF WISCONSIN Jefferson County Register of Deeds This is a full true and correct copy of the document filed/recorded in my office. Certified June 23 1999 by Sherill Ungler

ACKNOWLEDGMENT STATE OF WISCONSIN Personally came before me, this \_\_\_ day of \_\_\_ County, 19\_\_\_ the above named to me known to be the person who executed the foregoing instrument and acknowledged the same Notary Public My Commission is permanent (if not, state expiration date: \_\_\_ County, WI



ABSTRACTS • TITLE INSURANCE • ETC.



...s, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809  
...m. Code is restricted by ch. NR 811 and ch. NR 812 Wis. Adm. Code. Special well construction standards  
...water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor, to determine what specific prohibitions or requirements are applicable prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit can be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 15<sup>th</sup> day of October, 1999.

Signature: *Allen S. Jolly*  
Printed Name: ALLEN S. JOLLY

Signature: *Frances J. Jolly*  
Printed Name: Frances J. Jolly

Subscribed and sworn to before me  
this 15 day of October, 1999  
*[Signature]*  
Notary Public, State of Wisconsin  
My commission expires 9-2-2001



The Wisconsin Department of Natural Resources drafted this document.

24  
1027427

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10:7

Document Number      GROUNDWATER USE RESTRICTION

Description: See Legal description on document No. 821681 recorded at Vol. 684, page 805, a copy of which is attached.

RECEIVED FOR RECORD  
at 10:15 o'clock 2. M

OCT 19 1999  
Joseph D. Robert  
Register of Deeds  
Jefferson County, WI

Recording Area  
Name and Return Address  
M. Herro  
156 E. Wisconsin Ave.  
Oconomowoc WI 53066

Said lands lying and being in the Town of Ixonia, County of Jefferson, and State of Wisconsin.

Parcel ID Number 12 816 22323

Declaration of Restrictions

STATE OF WISCONSIN      )  
  ) ss  
COUNTY OF JEFFERSON    )

WHEREAS, Allen S. Jolly and Frances J. Jolly are the owners of the above-described property.

WHEREAS, one or more volatile organic chemical discharges have occurred at this property. Organic chemical contaminated groundwater above ch. NR 140 Wisconsin Administrative Code Enforcement Standards for Benzene and Methyl tertiary buty ether (MTBE) exists on this property at Recovery Well RW-1. Exhibit A shows a map of the area for the residual contamination prepared by Giles Engineering Associates, Inc. This is attached hereto and made a part hereof.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 Wis. Adm. Code groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 Wis. Adm. Code is restricted by ch. NR 811 and ch. NR 812 Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor, to determine what specific prohibitions or requirements are applicable prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

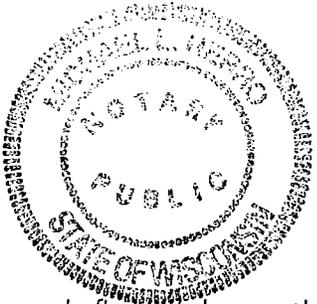
Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit can be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 15<sup>th</sup> day of October, 1999.

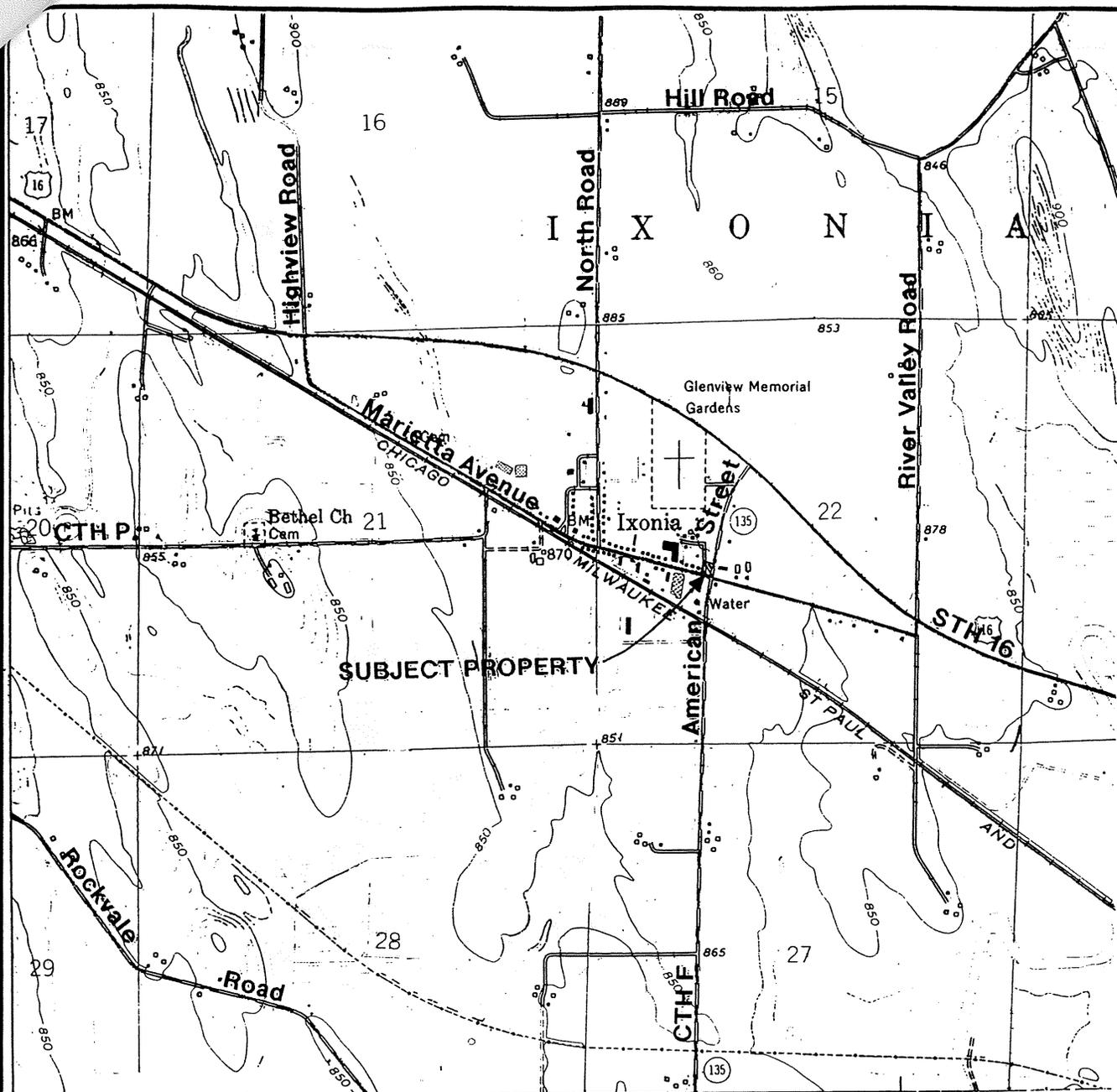
Signature: Allen S. Jolly  
Printed Name: ALLEN S. JOLLY

Signature: Frances J. Jolly  
Printed Name: Frances J. Jolly

Subscribed and sworn to before me  
this 15 day of October, 1999  
[Signature]  
Notary Public, State of Wisconsin  
My commission Expires 9.2.2001



The Wisconsin Department of Natural Resources drafted this document.



Source: USGS Topographic Map  
 Ixonia Quadrangle  
 Scale: 1:24,000  
 Contour Interval: 10 Feet

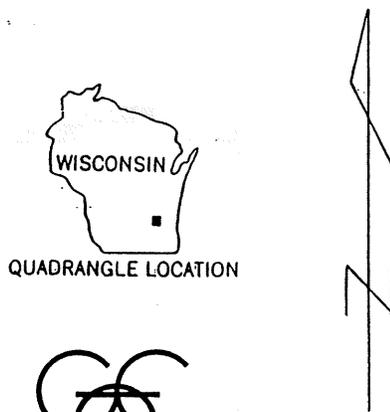
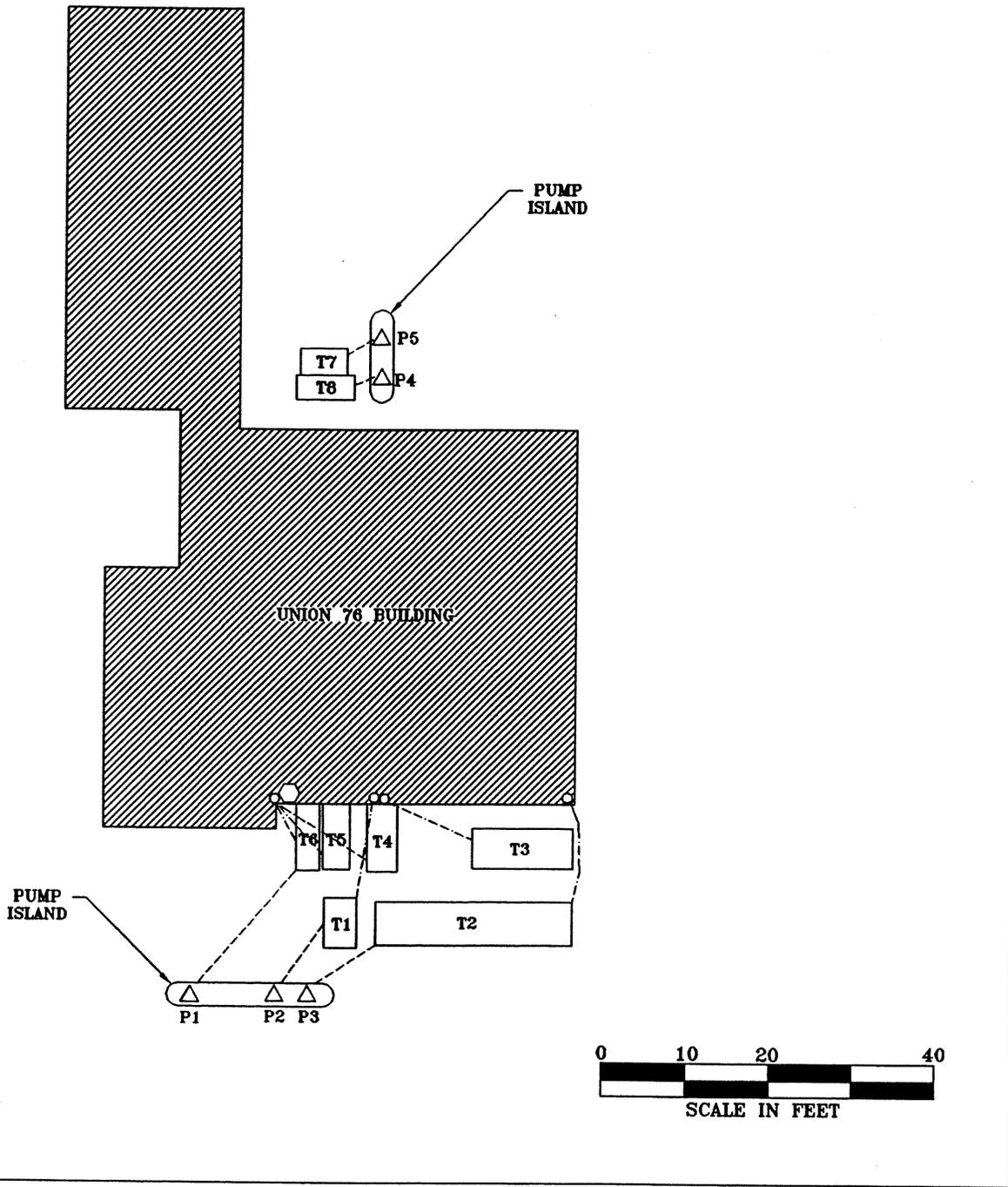


FIGURE 1  
 GENERALIZED SITE LOCATION

Koepler Oil Company  
 W1204 Marietta Avenue  
 Ixonia, Wisconsin  
 Project No. 1E-941142

**GE**  
 GILES ENGINEERING ASSOCIATES, INC.  
 GEOTECHNICAL GEOENVIRONMENTAL  
 AND CONSTRUCTION MATERIALS CONSULTANTS



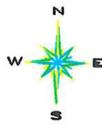
**LEGEND:**

○	UTILITY METERS
○	VENT STACKS
△	PUMP NUMBER AND LOCATION
T1	TANK NUMBER
---	PRODUCT LINES
---	VENT LINES

**Giles Engineering Associates, Inc.**  
 88 W22350 JOHNSON RD., WAUKESHA, WI, 53186  
 (414)-544-0110

**FIGURE 2**  
 SITE MAP AND UST SYSTEM DIAGRAM  
 KOEPLER OIL COMPANY  
 11804 MARIETTA AVENUE  
 IXONIA, WISCONSIN

DESIGNED	DRAWN	APPROVED	SCALE	DATE
JEB	SDP	X	1"=20'	1-03-95
PROJECT NO.: 1E-941142			CAD No. E9411422	



**CHEMICAL KEY:**

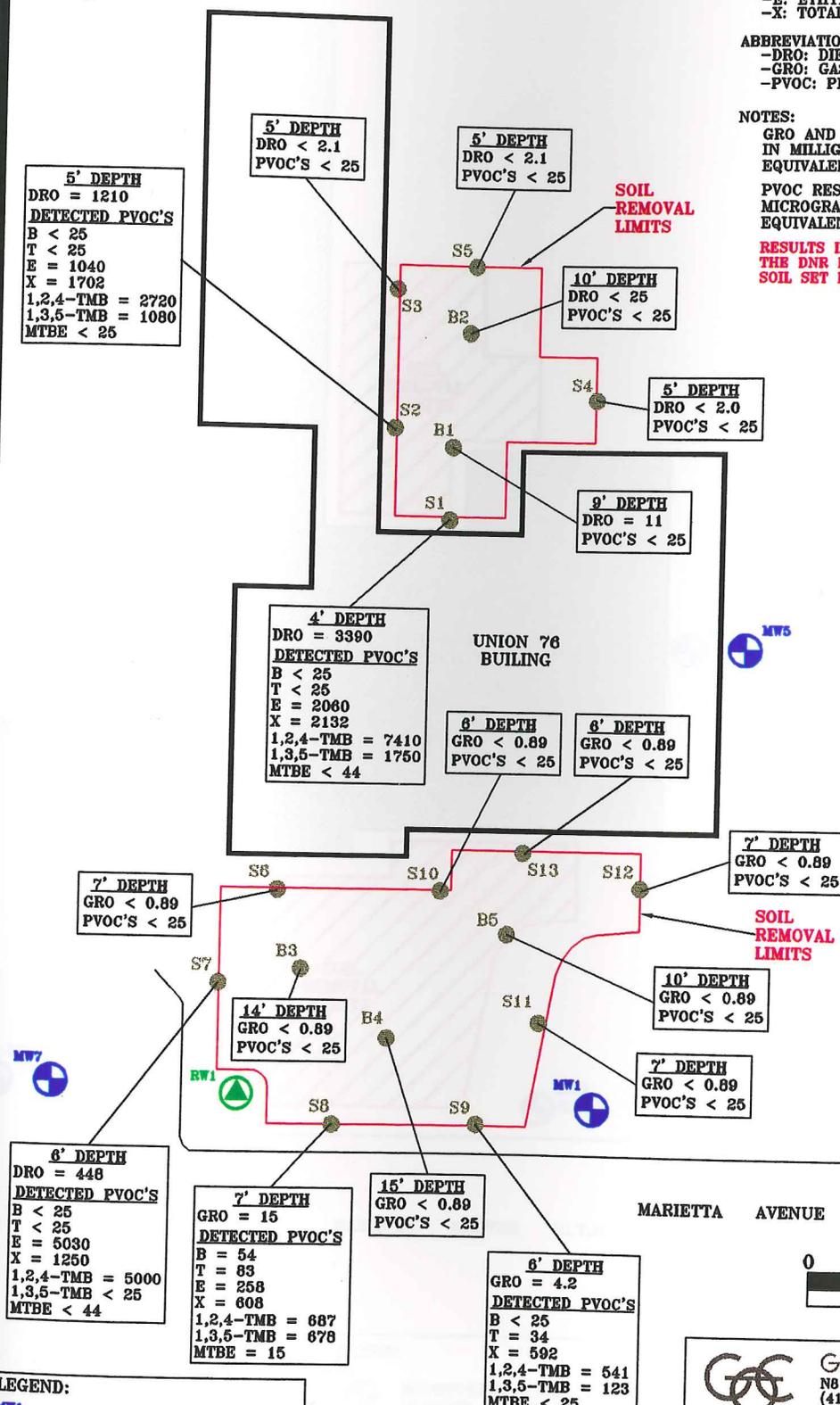
- MTBE: METHYL TERT BUTYL ETHER
- TMB: TRIMETHYLBENZENE
- B: BENZENE
- T: TOLUENE
- E: ETHYLBENZENE
- X: TOTAL XYLENES

**ABBREVIATIONS:**

- DRO: DIESEL RANGE ORGANICS
- GRO: GASOLINE RANGE ORGANICS
- PVOC: PETROLEUM VOLATILE ORGANIC COMPOUNDS

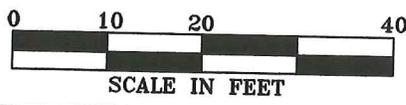
**NOTES:**

GRO AND DRO RESULTS EXPRESSED IN MILLIGRAMS PER KILOGRAM (mg/kg) EQUIVALENT TO PARTS PER MILLION (ppm)  
 PVOC RESULTS EXPRESSED IN MICROGRAMS PER KILOGRAM (ug/kg) EQUIVALENT TO PARTS PER BILLION (ppb)  
**RESULTS INDICATED IN RED ARE ABOVE THE DNR RESIDUAL CONTAMINANT LEVEL FOR SOIL SET FORTH IN NR 720.09.**



AMERICAN STREET (C.T.H. "F")

MARIETTA AVENUE (C.T.H. "P")



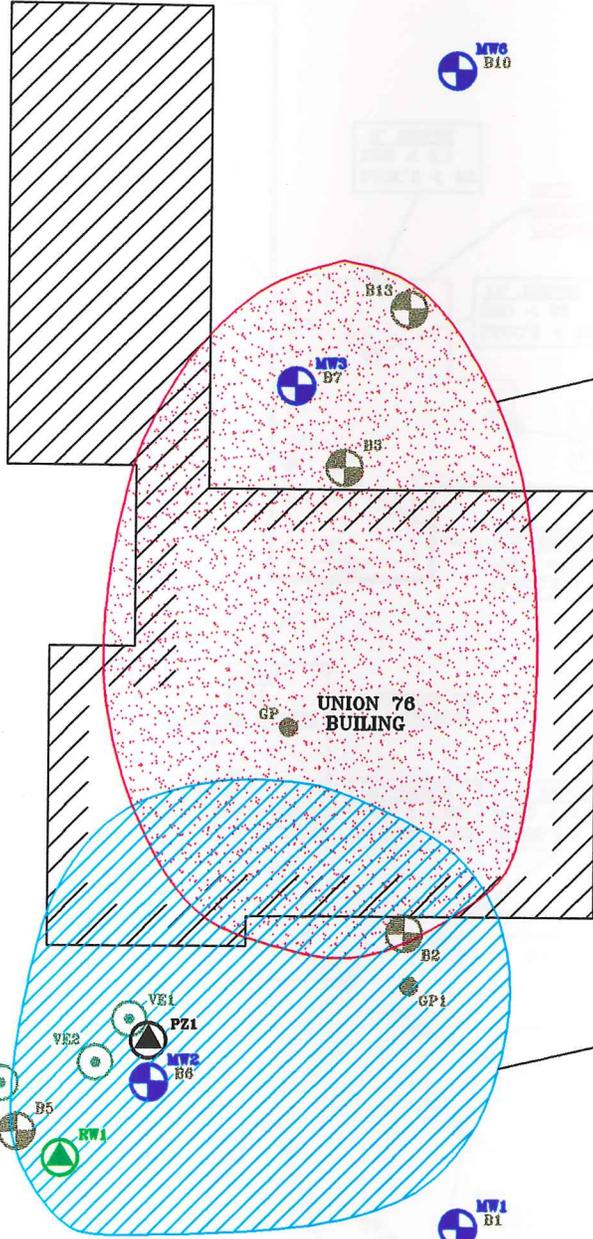
**LEGEND:**

- MW1 MONITORING WELL NUMBER AND LOCATION
- RW1 RECOVERY WELL NUMBER AND LOCATION
- SAMPLE NUMBER AND LOCATION

**GILES ENGINEERING ASSOCIATES, INC.**  
 NB W22350 JOHNSON RD.; WAUKESHA, WI, 53186  
 (414)-544-0118

**FIGURE 5**  
 SOIL CONFIRMATION ANALYTICAL RESULTS  
 KOEPLER OIL COMPANY  
 W1204 MARIETTA AVENUE  
 IXONIA, WISCONSIN

DESIGNED	DRAWN	APPROVED	SCALE	DATE
JEB	CTM	X	1"=20'	REV.5-01-96
PROJECT NO.: 1E-941142			CAD No. E941142H	

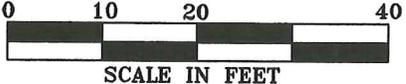


ESTIMATED LATERAL EXTENT OF DIESEL IMPACTED SOILS

ESTIMATED LATERAL EXTENT OF DIESEL IMPACTED SOILS

AMERICAN STREET (C.T.H. "F")

MARIETTA AVENUE (C.T.H. "P")



**LEGEND:**

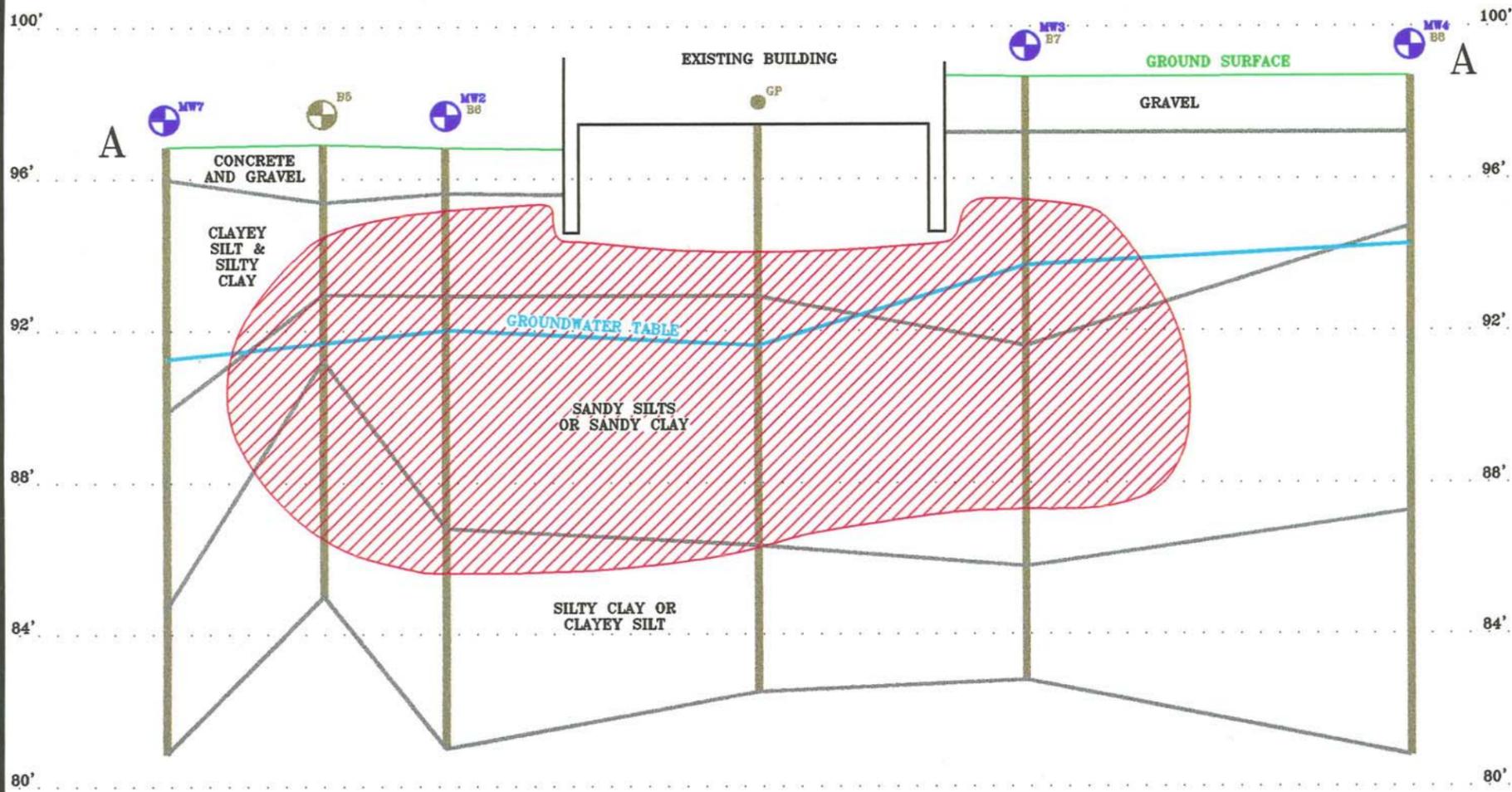
- B1 BORING NUMBER AND LOCATION
- MW1 MONITORING WELL NUMBER AND LOCATION
- PZ1 PIEZOMETER NUMBER AND LOCATION
- VE1 VAPOR EXTRACTION WELL NUMBER AND LOCATION
- RW1 RECOVERY WELL NUMBER AND LOCATION
- GP1 "GEOPROBE" NUMBER AND LOCATION

**Giles Engineering Associates, Inc.**  
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 (414)-544-0118

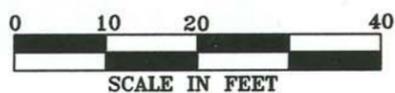
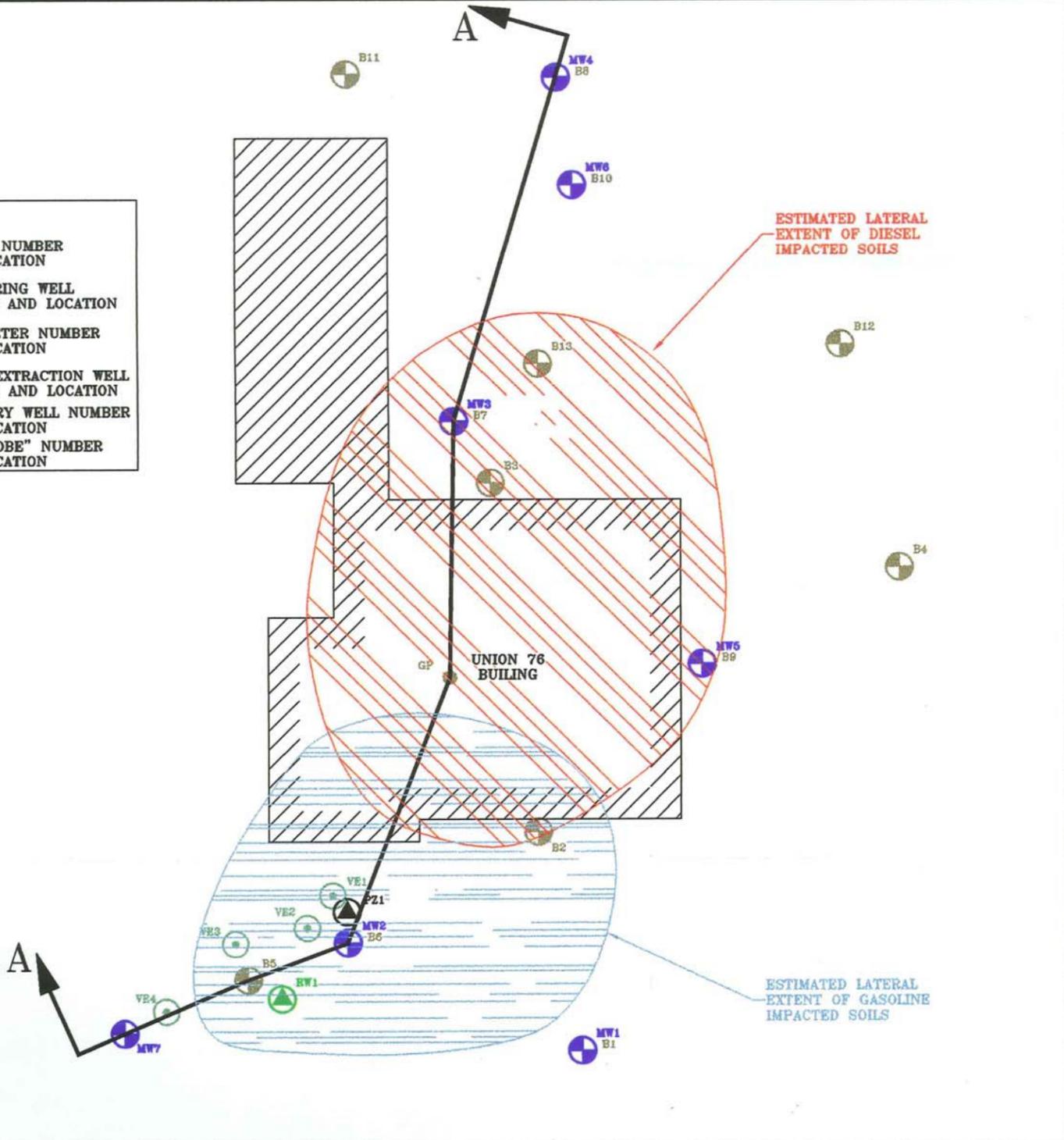
**FIGURE 4**  
 ESTIMATED EXTENT OF SOIL CONTAMINATION  
 KOEPLER OIL COMPANY  
 W1204 MARIETTA AVENUE  
 IXONIA, WISCONSIN

DESIGNED	DRAWN	APPROVED	SCALE	DATE
JEB	SDP	X	1"=20'	REV.5-01-96
PROJECT NO.: 1E-941142			CAD No. E941142L	

CROSS SECTION A-A  
 SCALE: HORIZONTAL 1"=20'  
 VERTICAL 1"=4'



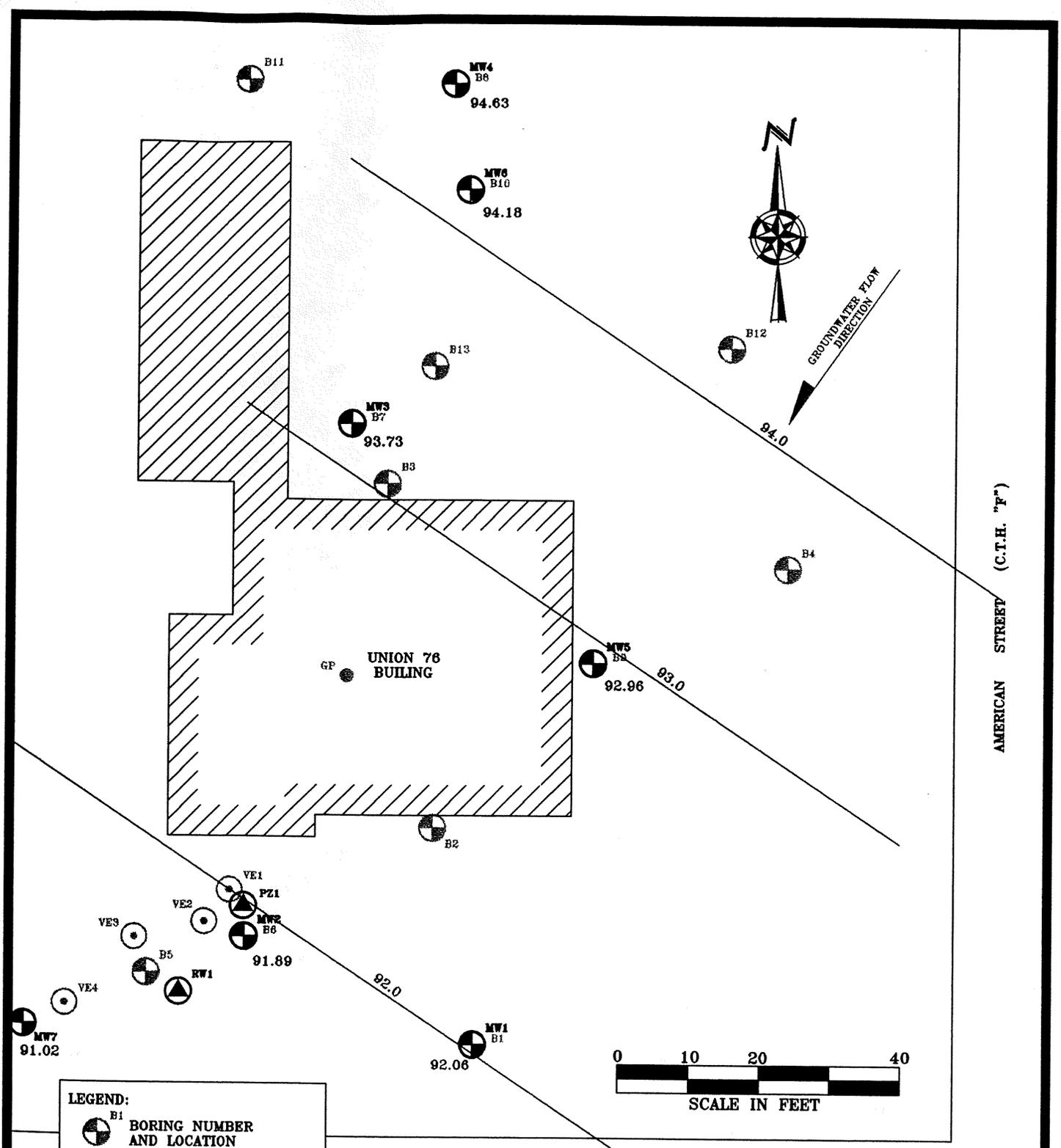
- LEGEND:
- B1 BORING NUMBER AND LOCATION
  - MW1 MONITORING WELL NUMBER AND LOCATION
  - PZ1 PIEZOMETER NUMBER AND LOCATION
  - VE1 VAPOR EXTRACTION WELL NUMBER AND LOCATION
  - RW1 RECOVERY WELL NUMBER AND LOCATION
  - GP1 "GEOPROBE" NUMBER AND LOCATION



GILES ENGINEERING ASSOCIATES, INC.  
 N8 W22350 JOHNSON RD.; WAUKESHA, WI, 53186  
 (414)-544-0118

FIGURE 6  
 CROSS SECTION A-A  
 KOEPLER OIL COMPANY  
 W1204 MARIETTA AVENUE  
 IXONIA, WISCONSIN

DESIGNED	DRAWN	APPROVED	SCALE	DATE
DSR	SDP	X	1"=20'	REV.4-25-96
PROJECT NO.: 1E-941142			CAD No. E941142E	



AMERICAN STREET (C.T.H. "F")

MARIETTA AVENUE (C.T.H. "P")

- LEGEND:**
- B1 BORING NUMBER AND LOCATION
  - MW1 MONITORING WELL NUMBER AND LOCATION
  - PZ1 PIEZOMETER NUMBER AND LOCATION
  - VE1 VAPOR EXTRACTION WELL NUMBER AND LOCATION
  - RW1 RECOVERY WELL NUMBER AND LOCATION
  - GP "GEOPROBE" NUMBER AND LOCATION
  - CONTOUR LINE
  - 91.89 GROUNDWATER ELEVATION

**GILES ENGINEERING ASSOCIATES, INC.**  
 N8 W22350 JOHNSON RD.; WAUKESHA, WI, 53186  
 (414)-544-0118

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**FIGURE 4**  
 ESTIMATED GROUNDWATER FLOW DIRECTION - JUNE 13, 1995  
 ALLEN JOLLY  
 MARIETTA AVENUE  
 IXONIA, WISCONSIN

DESIGNED	DRAWN	APPROVED	SCALE	DATE
JEB	SDP	X	1"=20'	12-01-95
PROJECT NO.: 1E-941142			CAD No. E9411420	

TABLE 2

LABORATORY SOIL ANALYTICAL RESULTS:  
SOIL EXPLORATION DRILLINGKoeppler Oil Company  
W1204 Marietta Avenue  
Ixonla, Wisconsin 53036  
Project No. 1E-941142

Parameter	NR 720 Cleanup Standard	B1	B1	B2	B2	B3	B3	B4	B4	B5	B5	B6	B6	B7	B7	B8	B8	B9	B9	FB 2-22-95	FB 2-23-95	FB
Depth (feet below grade)	--	6.5-8.5	14-16	6.5-8.5	16.5-18.5	4-6	14-16	6.5-8.5	14-16	4-6	9-11	1.5-3.5	14-16	4-6	11.5-13.5	11.5-13.5	16.5-18.5	6.5-8.5	16.5-18.5	--	--	--
PID (I.U.)	--	1.0	1.0	2.0	0.0	88	0.0	0.0	0	110	4	260	10	34	0.0	5.0	3.0	1.0	3.0	--	--	--
GRO (mg/kg)	100	<2.8	<2.7	24	<2.7	NA	NA	<2.8	<2.7	480	<2.7	5600	<2.7	NA	NA	NA	NA	<2.8	<2.7	<2500 µg/l	<2500 µg/l	<2500 µg/l
DRO (mg/kg)	100	NA	NA	23	<4.0	3500	4.8	<4.2	<3.8	NA	NA	NA	NA	7900	13	<4.0	3.9	<3.9	<3.7	NA	NA	NA
Lead (mg/kg)	NS	8.0	8.3	6.3	5.4	NA	NA	8.1	6.8	11	7.3	62	7.7	NA	NA	NA	NA	5.8	5.1	NA	NA	NA
Benzene (µg/kg)	5.5	<1.1	<1.1	<5.2	<1.1	<610	1.2	<1.1	<1.1	240	<1.1	<3300	1.7	<1600	<1.1	<1.1	<1.1	<1.1	<1.1	NA	NA	NA
Bromomethane (µg/kg)	NS	<1.1	<1.1	<5.2	<1.1	NA	NA	<1.1	<1.1	180	<1.1	7700	<1.1	NA	NA	NA	NA	<1.1	<1.1	NA	NA	NA
n-Butylbenzene (µg/kg)	NS	<1.1	<1.1	66	<1.1	NA	NA	<1.1	<1.1	640	<1.1	12,000	<1.1	NA	NA	NA	NA	<1.1	<1.1	NA	NA	NA
sec-Butylbenzene (µg/kg)	NS	2.0	<1.1	29	<1.1	NA	N	<1.1	<1.1	230	<1.1	<3300	<1.1	NA	NA	NA	NA	<1.1	<1.1	NA	NA	NA
Chloromethane (µg/kg)	NS	<1.1	<1.1	<5.2	<1.1	NA	NA	<1.1	<1.1	<140	<1.1	4100	<1.1	NA	NA	NA	NA	<1.1	<1.1	NA	NA	NA
1,2-Dichloroethane (µg/kg)	4.9	<1.1	<1.1	<5.2	<1.1	NA	NA	<1.1	<1.1	<140	1.8	<3300	<1.1	NA	NA	NA	NA	<1.1	<1.1	NA	NA	NA
Ethylbenzene (µg/kg)	2900	<1.1	<1.1	28	<1.1	1800	1.1	<1.1	<1.1	1400	NA	8000	3.4	5200	<1.1	<1.1	<1.1	<1.1	<1.1	NA	NA	NA
Isopropylbenzene (µg/kg)	NS	<1.1	<1.1	26	<1.1	NA	NA	<1.1	<1.1	420	NA	<3300	<1.1	NA	NA	NA	NA	<1.1	<1.1	NA	NA	NA
p-Isopropyltoluene (µg/kg)	NS	<1.1	<1.1	42	<1.1	NA	NA	<1.1	<1.1	1100	NA	13,000	<1.1	NA	NA	NA	NA	<1.1	<1.1	NA	NA	NA
Methylene Chloride (µg/kg)	NS	4.2	47	210	30	NA	NA	25	23	150	22	7800	28	NA	NA	NA	NA	1.9	4.7	NA	NA	NA
Naphthalene (µg/kg)	NS	2.5	<1.1	35	<1.1	NA	NA	<1.1	<1.1	1200	NA	19,000	<1.1	NA	NA	NA	NA	<1.1	<1.1	NA	NA	NA
n-Propylbenzene (µg/kg)	NS	<1.1	<1.1	77	<1.1	NA	NA	<1.1	<1.1	440	NA	<3300	<1.1	NA	NA	NA	NA	<1.1	<1.1	NA	NA	NA
Toluene (µg/kg)	1500	<1.1	2.0	<5.2	<1.1	<610	4.1	<1.1	<1.1	720	NA	13,000	11	<1600	<1.1	<1.1	<1.1	<1.1	<1.1	NA	NA	NA
1,2,4-Trimethylbenzene (µg/kg)	NS	<1.1	<1.1	110	<1.1	22,000	2.4	<1.1	<1.1	4100	1.5	180,000	16	45,000	3.7	<1.1	<1.1	<1.1	<1.1	NA	NA	NA
1,3,5-Trimethylbenzene (µg/kg)	NS	<1.1	<1.1	72	<1.1	13,000	<1.1	<1.1	<1.1	1400	NA	60,000	4.9	18,000	2.0	<1.1	<1.1	<1.1	<1.1	NA	NA	NA
Xylenes, m/p (µg/kg)	4100	<1.1	1.4	8.4	<1.1	5100	3.9	<1.1	<1.1	1600	NA	77,000	15	20,000	1.9	<1.1	<1.1	<1.1	<1.1	NA	NA	NA
Xylenes, o (µg/kg)	4100	<1.1	<1.1	8.8	<1.1	2000	1.3	<1.1	<1.1	730	NA	25,000	4.8	11,000	1.2	<1.1	<1.1	<1.1	<1.1	NA	NA	NA

Compounds listed in red exceed the current WDNR Chapter NR 720 cleanup standard for petroleum impacted soils.

NA Not Analyzed

mg/kg

milligrams per kilogram

FB Field Blank

-- Not Applicable

µg/kg

micrograms per kilogram

NS No Standard Established

i.u.

instrument units

(1e941142.t2/djr)

**TABLE 1  
GROUNDWATER ANALYTICAL DATA**

Koepler Oil  
W1204 Marietta Avenue  
Ixonia, WI 53036  
1E-941142

Sample Point	Date	GRO	DRO	Petroleum Volatile Organic Compounds (PVOC)							PVOC (sum)
				Benzene	E-Benzene	MTBE	Toluene	1,2,4-TMB	1,3,5-TMB	Xylenes	
MW-1	13-Jan-97	<17	940	<0.5	<0.6	<0.9	<0.6	<1.7	<0.9	<1.7	0
	24-Apr-97	<17	819	<0.5	<0.6	<0.9	<0.6	<1.7	<0.9	<1.7	0
	6-Aug-97	<17	1220	<0.5	<0.6	<0.9	<0.6	<1.7	<0.9	<1.7	0
	13-Jan-98	<17	386	<0.5	<0.6	<0.9	<0.6	<1.7	<0.9	<1.7	0
	23-Apr-98	NA	NA	<0.7	<0.7	<0.4	<0.7	<0.7	<0.7	<2.0	0
MW-4	13-Jan-97	NA	258	<0.5	<0.6	<0.9	<0.6	<1.7	<0.9	<1.7	0
	24-Apr-97	22	318	<0.5	<0.6	11	<0.6	<1.7	<0.9	<1.7	11
	6-Aug-97	<17	294	<0.5	<0.6	10.00	<0.6	<1.7	<0.9	<1.7	10
	13-Jan-98	<17	273	<0.5	<0.6	9.40	<0.6	<1.7	<0.9	<1.7	9.4
	23-Apr-98	NA	NA	<0.7	<0.7	9.00	<0.7	<0.7	<0.7	<2.0	9
MW-5	13-Jan-97	<17	685	<0.5	<0.6	<0.9	<0.6	<1.7	<0.9	<1.7	0
	24-Apr-97	<17	258	<0.5	<0.6	<0.9	<0.6	<1.7	<0.9	<1.7	0
	6-Aug-97	<17	254	<0.5	<0.6	<0.9	<0.6	<1.7	<0.9	<1.7	0
	13-Jan-98	<17	336	<0.5	<0.6	<0.9	<0.6	<1.7	<0.9	<1.7	0
	23-Apr-98	NA	NA	<0.7	<0.7	<0.4	<0.7	<0.7	<0.7	<2.0	0
MW-7	13-Jan-97	<17	1370	<0.5	<0.6	<0.9	<0.6	<1.7	<0.9	<1.7	0
	24-Apr-97	<17	879	<0.5	<0.6	<0.9	<0.6	<1.7	<0.9	<1.7	0
	6-Aug-97	<17	1800	<0.5	<0.6	<0.9	<0.6	<1.7	<0.9	<1.7	0
	13-Jan-98	<17	1530	<0.5	<0.6	<0.9	<0.6	<1.7	<0.9	<1.7	0
	23-Apr-98	NA	NA	<0.7	<0.7	<0.4	<0.7	<0.7	<0.7	<2.0	0
RW-1	13-Jan-97	4990	3440	473	251	<0.9	281	354	249	558	2166
	24-Apr-97	2140	3390	154	99	<0.9	91	129	24	243	740
	6-Aug-97	2600	3430	154	200	<0.9	27	175	26	216	793
	13-Jan-98	2060	2060	72	131	<0.9	25	137	34	105	504
	23-Apr-98	NA	NA	90	110	<1.8	35	190	35	305	755
	9-Oct-98	NA	NA	37	<0.3	110	28	150	19	120	464
ES	NA	NA	NA	5	700	60	343	NA	NA	620	
PAL	NA	NA	NA	0.5	140	12	68.6	NA	NA	124	

ND = Non Detectable levels of

NA = Not Analyzed

DRO= Diesel Range Organics expressed in micrograms per liter (ug/L)

GRO = Gasoline Range Organics expressed in micrograms per liter (ug/L)

(1) = All PVOC results expressed in parts per billion (ppb); micrograms per liter (ug/L)

MTBE = Methyl-tert-butyl-ether

TMB = Tri-methylbenzene

Analyte levels reported in red are at or above the WDNR Enforcement Standards (ES)

Analyte levels reported in green are at or above the WDNR Preventive Action Limit (PAL) but below the WDNR ES

TABLE 1  
 SURVEY DATA AND GROUNDWATER TABLE ELEVATION MEASUREMENTS  
 JUNE 13, 1995

Koepler Oil Company  
 W1204 Marietta Avenue  
 Ixonia, Wisconsin 53036  
 Project No. 1E-941142

Well ID	PVC Elevation	Ground Elevation	Depth to Groundwater (feet)	Water Table Elevation
MW1	96.86	97.10	4.80	92.06
MW2	99.74	97.19	7.85	91.89
MW3	101.08	98.70	7.35	93.73
MW4	101.71	98.86	7.08	94.63
MW5	101.08	98.17	8.12	92.96
MW6	98.57	98.85	4.39	94.18
MW7	96.62	96.87	5.60	91.02
PZ1	96.62	97.28	4.99	91.93
RW1	96.56	96.94	5.76	90.80
VE1	97.13	97.42	4.89	92.24
VE2	96.97	97.33	5.16	91.81
VE3	96.67	97.10	5.23	91.44
VE4	96.54	96.90	5.33	91.21

(1e941142.tb/djr)